



**INCLEMENT WEATHER POLICY
FOR THE
UNITED STATES BANKRUPTCY COURT
AND THE
BANKRUPTCY ADMINISTRATOR
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

April 2008

In view of the overriding responsibility of the Federal Courts of public service, court units will make every effort to remain open without compromising the safety of the public and court staff. When weather conditions occur which jeopardize the safety of the public and court staff, this policy provides procedures for the cancellation or delay of court. This policy shall apply to only the United States Bankruptcy Court and the Bankruptcy Administrator for the Western District of North Carolina. For inclement weather procedures regarding the United States District Court and the United States Probation and Pretrial Offices for the Western District of North Carolina, please contact the District Court.

The following procedures regarding the decision to close or delay the opening of court offices only pertain to the **Charlotte Division**.

CHARLOTTE DIVISION

Inclement weather always seems to strike in the early morning hours. Therefore, the first indication anyone has that the roads have become dangerous is the announcement by the Charlotte Mecklenburg County School District that its schools are closed. After this determination has been made by the School District, the chief bankruptcy judge, the bankruptcy clerk, and the bankruptcy administrator will confer. After this conference, the chief bankruptcy judge may still decide whether to cancel court proceedings, delay the proceedings to a time certain, or move forward with the proceedings as scheduled if, in his or her opinion, the efficient administration of justice is best served by conducting the proceedings.*

*proceedings refer not only to court hearings, but to the meeting of creditors meetings conducted by the bankruptcy administrator as well.

Regardless of the decision, when a decision has been reached, the bankruptcy clerk shall:

- Contact the district court clerk
- Contact the chief deputy, the administrative manager, and the IT manager
- See to it that an announcement message is placed on the bankruptcy court's general telephone number recording (bankruptcy court staff will call this number to receive their daily instructions)
- See to it that an announcement message is placed on the court's website
- Contact the U.S. Marshal's Service
- Contact the General Services Administration
- Contact the local television and radio stations, ensuring that the general public understands that the closing applies only to the bankruptcy court (this contact will be made only if the bankruptcy court closes)

DIVISIONAL OFFICES

The extreme weather fluctuations in the mountainous counties in this division make closing based on any one school district difficult. Therefore, the decision to close or delay the opening of court in the Asheville and Wilkesboro Divisions will be made by the senior judicial officer on duty.

The decision to close or delay the opening of court the Shelby Division will be made by the senior judicial officer on duty.

The initial decision to open or delay the opening of court offices varies among the divisions, but once this decision has been made, all other provisions of this policy apply to all employees.

SUBSEQUENT DAYS OF INCLEMENT WEATHER


The chief bankruptcy judge, the bankruptcy clerk, and the bankruptcy administrator will confer on each subsequent day as they did on the first day until the weather issue is resolved until and unless it is necessary to implement the court's COOP plan. If the COOP plan should be implemented, there will be immediate, frequent, and ongoing coordination with the chief district court judge and district court clerk.

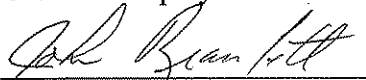
LEAVE RECORDS

All court employees will be treated in the same manner and will be granted administrative leave off from work when the court is closed due to inclement weather and when they are not previously scheduled in some other form of leave status, telework status, or compressed day off status. Those employees previously scheduled in another form of leave status or duty status will comply with that status. Those employees who must be present for any court proceedings when the court is otherwise closed for the purpose of conducting routine business, shall be awarded an administrative leave day off to be used by them in the future. When the court is open for business during periods of inclement weather, some employees may not in their best judgment, or due to circumstances unique to their situation, be able to report to work. At the Clerk's discretion, these employees may use leave and/or telework in lieu of reporting for work.

This policy is implemented this 4th day of April, 2008.


J. Craig Whitley, Chief
United States Bankruptcy Judge


David E. Weich, Clerk
U.S. Bankruptcy Court


John Bramlett
Bankruptcy Administrator